

Global Environment and Technology Foundation (GETF)

Asbestos Strategies Report

Purpose

The purpose of the *Asbestos Strategies* project, commissioned by EPA, was to take stock of the recent experience with potential solutions and options regarding the use and management of asbestos. The first major objective was to offer recommendations and options on effective asbestos oversight, outreach and education approaches. The second major objective was to provide an opportunity for key stakeholders to share their knowledge on barriers, incentives, lessons learned, best practices, and viable technology applications as they relate to asbestos use and management.

Overview

Throughout 2002, the Global Environment and Technology Foundation (GETF) held more than fifty (50) interviews with experts and stakeholders with knowledge and interest in the management and use of asbestos. A cross-sector focus group was convened on October 10, 2002 with fifty-three (53) stakeholders representing federal and state government agencies, industry representatives, organized labor, technical experts and key private sector organizations. Research and interviews were held prior to the meeting to identify key areas of concern, develop background on key asbestos issues, and identify other stakeholders and experts to invite. Additional interviews and meetings were held subsequent to the focus group meeting with key technical and policy experts to further clarify issues and gather opinions. GETF emphasized that the goal of the meeting and interviews was to understand views and identify priorities today, not to reach consensus on all issues.

----- Top Five Short-Term GETF Recommendations -----

Action 1: Updated Existing Asbestos-in-Buildings Guidance

Description: The EPA should update the purple book guidance document to make it the premier technical resource for managing asbestos in buildings and facilities. The revised document should be consistent with current federal regulations and good practices.

Action 2: Encourage Voluntary Compliance with Existing Regulations

Description:: Regulatory agencies should encourage voluntary compliance with existing regulations and good practices for managing asbestos in buildings and good practices for managing asbestos in buildings accomplished accomplished accomplished through a accomplished through a series of asbestos awareness seminars (building building owners, contractors and consultants). (building owners, contractors and consultants). The seminars and hosted by and hosted by and hosted by the resident state asbestos authority. Joint sponsorship would be Such Such seminars should Such seminars should be held Such seminars should be held in conjunction with national associations such as the associations such as the Environmental Information Association associations such as target audience.

Action 3: Consider a Federal Legislative Ban on Asbestos

Description: As one option, an outright legislative ban on the production, manufacture, distribution and importation of products with commercially-added asbestos should be considered. Such legislation would eliminate remaining products by a specified date, and installation of those products by a later date. Jurisdictional issues could be addressed in congressional legislation that might not be achievable by individual agency rule-makings. Exceptions to such a ban may be necessary for a

small number of applications for which substitutes may not be available, and for research purposes. Stakeholders at the focus group meeting did not universally support this option. Implementing regulations, and perhaps the enabling legislation itself, would likely be challenged in the courts.

Action 4: Clarify the Asbestos Definition to Address Asbestos Contamination in Vermiculite and Other Minerals

Description: The Libby vermiculite situation should be considered an important lesson, but not be treated as a typical case. The definition of asbestos should be clarified to include all asbestiform amphiboles, in addition to currently regulated amphiboles and chrysotile. An evaluation by EPA, OSHA and MSHA will be needed to determine procedurally how this should be accomplished, and what consequences such a clarification might have, if any, on other industries.

Action 5: Develop A National Mesothelioma Registry

Description: A national mesothelioma registry is necessary to facilitate epidemiology studies to evaluate the effects of asbestos exposure. Many countries and some states have established mesothelioma registries. The establishment of such a registry would likely be performed by the Centers for Disease Control (CDC) in conjunction with state public health departments.

----- Top Five Long Term GETF Recommendations -----

Action 1: Update Asbestos Model Training Curricula

Description: The EPA should update the model training curricula and provide a Spanish version of the worker training curriculum. The training providers should also be permitted to vary the course content in refresher courses.

Action 2: Enforce Existing Asbestos Regulations

Description: The EPA and OSHA should focus on more predictable enforcement of existing regulations, which may offer greater benefit than committing scarce resources to new rule-making efforts.

Action 3: Reduce Unintended Asbestos in Products

Description: Reduction of naturally occurring asbestos in products could be achieved by a program set up by a consortium of mining concerns to develop a sampling and analytical protocol to analyze bulk materials at the mining stage for chrysotile and all asbestiform amphibole forms of asbestos. Oversight of such a program may be provided by EPA and MSHA, with technical assistance by NIOSH and NIST. This program would assist the mining and quarrying industry in avoiding unwanted asbestos in their product. The program would provide a degree of assurance to users of these raw materials that they are not contaminated with asbestos.

Action 4: Reduce Asbestos-Containing Products in Commerce

Description: A coordinated effort to educate consumers, employers and building owners about products with commercially-added asbestos is necessary. Such a program would assist the target audience make an informed decision about which products are legally available with commercially added asbestos. This education and outreach effort would be performed by EPA, OSHA and CPSC. These agencies would need to perform research into which products actually have commercially added asbestos, which do not, and which are to be phased out voluntarily by manufacturers.

Action 5: Partner with State Agencies in Support of Asbestos Training

Description: Training providers under the EPA model accreditation plan (MAP) and corresponding state plans should be audited with sufficient frequency to assure the training is provided, tests are

conducted, records maintained, and certificates issued.